

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BYRON ACQUISITION, LLC,

Plaintiff,

Case No. 1:10-cv-608

v.

Hon. Janet T. Neff

PAUL JAY VAN PORTFLIET, et al.,

Defendant.

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ORDER APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation (Dkt. 11) of the Magistrate Judge, filed August 26, 2010, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand (Dkt. 6) is GRANTED and this matter is remanded to the Kent County Circuit Court and the Defendants are ordered to pay five thousand two hundred twenty-three dollars and seventy-five cents (\$5,223.75) in attorney fees to Plaintiff no later than November 10, 2010 the reason(s) stated in the Report and Recommendation.

Dated: October 13, 2010

/s/Janet T. Neff

JANET T. NEFF

UNITED STATES DISTRICT JUDGE